

_____Published in the Derby Reporter, **October 24, 2003**

ORDINANCE NO. 45-836

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING MAIN 12, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACTS "A" THROUGH "Y" AND EAGLES LANDING AT NORTH OLIVER 2ND (468-83241/480-591)

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: constructing **MAIN 12, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACTS "A" THROUGH "Y" AND EAGLES LANDING AT NORTH OLIVER 2ND**, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$1,376,748.00** and that **\$688,374.00** be assessed against the improvement district and **\$688,374.00** be paid by the Sewer Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-02-053, adopted January 15, 2002, and published January 19, 2002, corrected & republished December 17, 2002**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

1DATE: 10/08/03

PETITIONED: YES

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
N1/2 SW1/4 LY SE OF RR ROW EXC 10.83 ACRES DED. FOR HWY & EXC THAT PART LY N OF HWY ROW & EXC W 50 FT FOR RD. SEC 35-26-1E	20,582.38
NW1/4 EXC KOCH OFFICE PARK & EXC S	75,308.12

330 FT W 529.6 FT N 1339.80 FT & THAT PART SW1/4 LY N OF HWY ROW EXC RR ROW & EXC STS SEC 35-26-1E	
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S 330 FT W 529.6 FT N1/2 NW1/4 SEC 35-26-1E	2,065.12
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SE1/4 & SW1/4 EXC KOCH OFFICE PARK 3RD ADD & EXC RDS SEC 26-26-1E	160,666.49
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LOT 1 BLOCK A EAGLES LANDING AT NORTH OLIVER 2ND	206.51
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0 PROJECT 468 83241 299,029.67FRACTIONAL

1DATE: 10/08/03

PETITIONED: YES

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
PAGE 1	
TH PT NE1/4 & NW1/4 LY S & E OF	78,604.08
HWY K-254 EXC N 40 FT & E 50 FT FOR	
RDS & EXC CRIP ROW	
SEC 23-26-1E	

SE1/4 & TH PT E1/2 SW1/4 LY SE CRIP ROW EXC W 225 FT S 275 FT THEREOF & EXC RDS SEC 23-26-1E	128,183.47
NW1/4 EXC CRIP ROW & W1/2 NE1/4 EXC TH PT PLATTED AS NORTHEAST MIDDLE SCHOOL ADD & EXC RDS SEC 26-26-1E	109,549.58
NE1/4 LY SE OF CRIP ROW EXC E 50 FT FOR RD SEC 27-26-1E	9,049.64
TH PT SE1/4 LY E OF CRIP RR ROW EXC W 699.1 FT & EXC W 1154.55 FT E 1776.84 FT S 700 FT & EXC RDS ON S & E SEC 27-26-1E	40,582.12
LOT 1 BLOCK A NORTHEAST MIDDLE SCHOOL ADD.	23,375.44
0	
0 PROJECT 468 83241	389,344.33 SQUARE FT

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **November 24, 2003**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same

form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **October 24, 2003** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **October 21, 2003**.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk